

Attorney Docket :
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PATENT

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONFIRMATION NO. 5209

Applicants : Hiroyuki NAKAMURA, et al.
Appln. No. : 10/051,310 Art Unit : 2817
Filed : January 22, 2002 Examiner : Barbara SUMMONS
For : Inter-Digital Transducer, Surface Acoustic Wave Filter and
Communication Apparatus Using The Same

PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. §1.313(c)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Petition is very urgent. It is filed in triplicate.

The above-identified application has been allowed. The Issue Fee was paid on January 28, 2004. To the undersigned's knowledge, it has not yet been scheduled to issue as a patent.

The Applicants and the undersigned hereby request that the application be withdrawn from issue.

Withdrawal from issue is required in order to obtain entry and consideration of an Information Disclosure Statement (IDS) that cites, among other documents, a Japanese Patent Office (JPO) Action issued in the JPO, and the corresponding disclosure documents cited in the JPO Action. This Petition, therefore, is accompanied by a Request for

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Continued Examination (RCE) under 37 CFR §1.114 with the requisite fee and the aforementioned IDS as the requisite "submission." This Petition also is accompanied by its own requisite petition fee of \$130.

Our check in the amount of \$900 is attached to cover the fees corresponding to this Petition and the filing of the aforementioned RCE. If any additional fees are required, please notify the undersigned attorney by telephone and charge the additional fees to Deposit Account No. 02-4300.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:



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Date: February 19, 2004